

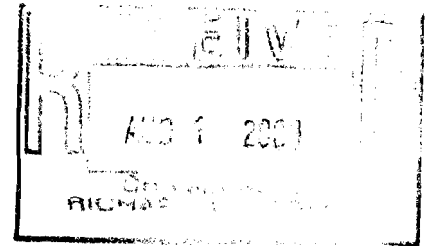
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August 13, 2008

Hon. Richard M. Berman
United States District Court
Southern District of New York
500 Pearl Street, RM 650
New York, NY 10007

MEMO ENDORSED

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RE: MAN Ferrostaal, Inc. v. M/V OCEANTHI *et al.*
07 CIV 8607 (RMB)(JCF)
Our Ref: FS 7933

RE: Countinho & Ferrostaal, Inc. v.
M/V GETALDIC, *et al.*
08 CV 4820 (RMB)(FM)
Our Ref: FS 7990

Hon. Sir:

We represent the plaintiff in both of the captioned matters herein which are scheduled for pretrial conferences on August 20, 2008, at 9:00 a.m. and 9:15 a.m., respectively.

With regard to MAN Ferrostaal, Inc. v. M/V OCEANTHI, we are pleased to report that the settlement amount has been paid by defendants, and request that the conference for this case be canceled. The conference had been set by the Court after plaintiff's motion to vacate or modify the prior Order of Dismissal dated June 25, 2008, was denied without prejudice. A copy of the Memo Endorsed Order dated July 14, 2008, is enclosed. As settlement has been consummated and the case already dismissed, a conference would appear to be unnecessary. Defendants attorneys, copied below, agree.

With regard to Countinho & Ferrostaal, Inc. v. M/V GETALDIC, we respectfully request a second adjournment of the initial pretrial conference to a date convenient to the Court in September. This case was initially scheduled

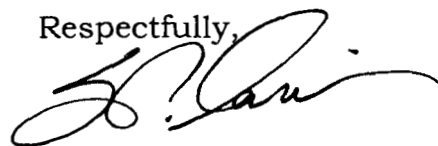
for an initial conference on Tuesday, July 8, 2008, and the Court granted plaintiff's request for an adjournment since defendants had not yet appeared. The adjourned date was August 20.

Defendants, Atlant Panamax Corp. and Atlantska Plovidba, have now answered the Amended Complaint and cross-claimed against the co-defendant, but co-defendant Daewoo Logistics has not yet appeared. Daewoo in Seoul, Korea was served by the Clerk by registered mail on June 30, but no return has been docketed yet, and no appearance made for Daewoo. Daewoo was the chartered owner of the M/V Getaldic under a charter party with plaintiff dated August 13, 2007.

Attorneys for defendants, Atlant Panamax Corp. and Atlantska Plovidba, join plaintiff's attorney in requesting a second adjournment of the initial case management conference in the Getaldic case at a date and time convenient for the Court in September.

Thank you.

Respectfully,



SPC/
Enc.

cc: Mahoney & Keane, LLP (Oceanthi)
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Via fax

<u>Application granted. Conference</u> <u>adjourned to 9/2/08 at 9:00 a.m.</u>	
SO ORDERED: Date: <u>8/18/08</u>	<u>Richard A. Berman</u> Richard M. Berman, U.S.D.J.